

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING
MINUTES
October 2, 2013
7:30 P.M.
Room 206, Town Hall

Chairman Riccardo called the meeting to order at 7:30 P.M

Commission Members Present: Vickie Riccardo, Wynne Shapiro, Alan Armstrong, Rick Rohr, Ed Sweeney, and Eric Joosten.

Staff: Jacobson

Court Reporter: Syat

Channel 79 recorded

Ms. Riccardo called the first agenda item:

EPC-35-2013, Eric Roemer, 49 Birch Road, proposing driveway construction and fence in an upland review area. The site is shown on Assessor's Map #11 as Lot #11.

Doug DiVesta, P.E, represented the applicant. He said P&Z requested they move the driveway about 15 feet to the south to protect the Oak tree. Moving the driveway will require removal of the Beech tree. He said they have decided to eliminate the fence over the brook.

Mr. Rohr asked if the first post on the west side of the brook will be in concrete. Mr. DiVesta said they will provide a concrete footing.

Ms. Riccardo said the Commission discussed the clean out of the brook. She would make it a condition that anything that can be done by hand be removed.

Mr. Rohr made a motion to approve the application with the above conditions. Ms. Shapiro seconded the motion and it passed 6-0.

Ms. Riccardo called the following public hearing:

EPC-29-2013, Town of Darien, Department of Public Works, 95 Rose Lane, proposing to replace a storm drain with a box culvert as part of replacement of upstream drainage system. The site is shown on Assessor's Map #25 as Lot #12. (Continued from September 4)

Ms. Riccardo announced that this hearing will be continued until October 16 at 7:30 p.m.

Ms. Riccardo called the following agenda item:

P&Z referral: Estate of Beatrice Richards, 123 Five Mile River Road, Coastal Site Plan Review and Land Filling and Re-grading Application.

Ms. Riccardo said she watched the first night of the P&Z hearing. The hearing was continued until October 8. Mr. Jacobson said the EPC will be receiving correspondence on the matter from Mr. Gleason and possibly Mr. Richards. Mr. Jacobson said he would take steps to obtain a DVD of the P&Z proceedings for the Commission.

The Commission proceeded to take up non-public hearing items on the agenda, as the hearings were noticed for 8:00 p.m.

Mr. Joosten made motion to approve the minutes of September 4 as amended. Mr. Armstrong seconded the motion and it passed 5-0. Ms. Shapiro abstained.

Mr. Armstrong made motion to approve the minutes of September 18 as amended. Mr. Sweeney seconded the motion and it passed 3-0. Ms. Shapiro Mr. Rohr and Mr. Joosten abstained. Ms. Riccardo noted that there had been a quorum at the September 18 meeting.

Ms. Riccardo called the following public hearing:

EPC-38-2013, Giannattasio Builders, Inc., 25 Libby Lane, proposing replacement house in an upland review area. The site is shown on Assessor's Map #9 as Lot #59.

John Martucci, P.E. represented the applicant. He introduced Lou Giannattasio, owner and builder. He said they are proposing to demolish the existing house and construct a new house. He said the new house is outside the 50 foot upland review area from the wetland on the property but a portion of the house is within 50 feet of the neighbor's wetland. He said they designed the stormwater management to control peak flows and discharge at rates equal to the undeveloped condition. He said he included the 750 foot deck, which is actually pervious.

Ms. Riccardo opened the hearing for public comment.

Cheryl Russell, Holly Lane, said she is concerned that the house will have a basement. She asked about the pipe to the rear of the property and if it is the overflow from the cul-techs. She asked about tree removal.

Mr. Giannattasio said the trees on the property have not been trimmed in years. He said they will be doing selective clearing. He said none of trees to be removed are in the wetland buffer. He said the existing basement is six feet below grade. He said they will not go deeper than the existing basement.

Mr. Rohr asked about the existing sump discharge. Mr. Martucci said it discharged to the lawn in the rear. He said the new discharge will be connected to the drainage system. He said the drain in the rear is a reverse yard drain for overflow from the infiltrators if needed.

Mr. Rohr asked about a planting plan. Mr. Martucci said there is existing lawn to the buffer edge and they are not disturbing any further.

Mr. Rohr said the note on the plan says the basement will be 6.5 feet below grade, not 6. Mr. Martucci said they will change the note.

Ms. Riccardo said the maintenance plan language says “should be repaired”: she would prefer it to say “must be repaired”. Mr. Martucci said he will change the wording. Ms. Riccardo said she would include the condition that future owners are notified of their obligation to maintain the system.

Ms. Russell said she is concerned that with a larger basement they will need more than one sump. Mr. Martucci said the new basement will be smaller than the existing basement.

Mr. Rohr made a motion to close the public hearing. Mr. Armstrong seconded the motion and it passed 6-0.

Ms. Riccardo called the following public hearing:

EPC-40-2013, LTB Properties, 27 Blueberry Lane, proposing house replacement and septic system in an upland review area. The site is shown on Assessor’s Map #7 as Lot #28.

Dean Martin, P.E., represented the applicant. He introduced Scott Church, owner and builder. He said they are proposing a replacement house and a new septic system. He said he did an analysis of the FEMA flood elevation and the house is outside the 100 year flood limit. He said their drainage calculations were based on the undeveloped existing condition. They are proposing a planted buffer but there are no specific plants yet. He said the disturbance in the upland review area will be 9,865 sq. ft. He said he received the Town Engineer’s comments. He said the overflow was raised up a foot to provide water quality treatment as recommended by DEEP. He said they moved the discharge away from the adjacent property line.

Mr. Rohr asked if they are requesting a pool. Mr. Church said they showed a possible location. The Commission discussed the pool and determined that it will not be part of this application approval without additional information about the pool terrace and stormwater.

Mr. Rohr asked if they are proposing a basement. Mr. Church said “yes”. Mr. Rohr said the application does not provide enough information to make a determination about a basement.

Mr. Sweeney said he would like more information on the footing drains and whether there will be a sump pump.

The Commission continued the public hearing until October 16 to receive more information.

The Commission requested staff prepare a conditional approval for EPC-38-2013 Giannasstasio Builders, 25 Libby Lane.

Mr. Joosten made a motion to adjourn. Mr. Sweeney seconded the motion, and it passed 6-0. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer